

Remarks

The Applicant respectfully requests reconsideration and reexamination of the above-identified patent application, as amended. Claims 1, 3-15, 17-20, and 22-30 are pending in this application upon entry of this Amendment. In this Amendment, the Applicant has amended claims 1, 4-5, 11, 14, and 22-23. No claims have been cancelled or added in this Amendment. Of the pending claims, claims 1, 4-5, 11, 14, and 22-23 are independent claims.

Claim Rejections - 35 U.S.C. § 103

The Examiner rejected claims 1, 3-15, and 17-20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,688,248 issued to Lessing, Jr. ("Lessing") in view of U.S. Patent No. 5,671,983 issued to Miller et al. ("Miller"). The Examiner rejected claims 22-30 under 35 U.S.C. § 103(a) as being unpatentable over Lessing in view of Miller and further in view of U.S. Patent No. 5,496,282 issued to Militzer ("Militzer").

The Applicant has amended independent claims 1, 4-5, 11, 14, and 22-23 to recite, in one way or another, a fill-drain tube sleeve and a catheter sleeve respectively connected to the pouch openings for respectively receiving and directing a fill-drain tube and a catheter towards one another within the pouch. None of the cited references including Lessing and Miller teach or suggest such sleeves.

In the Office Action, the Examiner indicated element 25 of Lessing is a fill-drain tube sleeve or catheter sleeve. The Applicant respectively disagrees as Lessing describes element 25 as being a "surgically implanted catheter apparatus" (col. 2, lines 31-32; col. 2, line 51; col. 2, lines 57-63 of Lessing).

In view of the foregoing amendments and remarks, amended independent claims 1, 4-5, 11, 14, and 22-23 are patentable over any combination of the cited references including Lessing and Miller. Claims 3, 6-10, 12-13, 15, 17-20, and 24-30 depend from one of the

amended independent claims and include the limitations of their respective amended independent claim. Accordingly, the Applicant respectfully requests reconsideration and withdrawal of the rejection to the claims.

CONCLUSION

In summary, claims 1, 3-15, 17-20, and 22-30 presented herein meet the substantive requirements for patentability. The case is in appropriate condition for allowance. Accordingly, such action is respectfully requested.

If a telephone or video conference would expedite allowance or resolve any further questions, such a conference is invited at the convenience of the Examiner.

Respectfully submitted,

DOUGLAS IRISH

By

James N. Kallis
Reg. No. 41,102
Attorney for Applicant

Date: January 18, 2007

BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075-1238
Phone: 248-358-4400
Fax: 248-358-3351